

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND EIGHT

PRESENT

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO.5086 of 2008

Between:

K. Shyam Sundar Reddy, S/o. Ramana Reddy,
R/o. H.No. 16-3-933/1, Mutyalapalem, Bank Colony,
Ramalingapuram, C. Block, No. 109, Nellore, Nellore District.
..... PETITIONER

AND

- 1 The State Public Information Officer, Government
of Andhra Pradesh, HACA Bhavan, 2nd Floor,
Beside All India Radio, Hyderabad.
- 2 Public Information Officer & Deputy Engineer in Chief (AW),
O/o. Engineer in Cheif (AW), Irrigation & Commandant Area
Development Department, Jala Soudha, Erramanzil,
Hyderabad.
- 3 The Superintending Engineer, Somasila Project Cirlce,
Besides M.G. Brothers, Dargamitta, Nellore, Nellore District.
..... RESPONDENTS

Counsel for the Petitioner:

MR.J.KANAKAIAH

**Counsel for the Respondents:
&**

GP FOR IRRIGATION

COMM AREA DEV.

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

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WRIT PETITION NO.5086 of 2008

ORDER :

This writ petition is filed for a writ of mandamus to declare the action of the respondents in not furnishing information sought for by the petitioner vide his application dated 19-1-2008 as illegal, arbitrary and contrary to the provisions of Right to Information Act, 2005.

2. Heard Sri J. Kankaiah and perused the records.

3. In the view I am taking there is no need to go into the merits of the case and suffice it to state that the petitioner is aggrieved by the inaction of respondent no.2 in declining to comply with his request made in his application on 19-1-2008, which appear to have been forwarded to respondents 1 and 2 by respondent no.3. The petitioner therefore sought for a mandamus to direct the said respondents to furnish the information.

4. Under Section 19 (1) of the Right to Information Act, 2005, any person *inter alia* who, does not receive a decision within the time specified in sub-section (1) or clause (a) of sub-section (3) of Section 7, is entitled to file an appeal to such Officer who is senior in rank to the State Public Information Officer and a further appeal is provided under section 19 (3) against any decision taken in the appeal filed under section 19 (1) to the State Information Commissioner.

5. Since the petitioner has not availed these remedies, which without doubt are efficacious, I am not inclined to entertain this writ petition. The writ petition is therefore dismissed. Liberty is given to the petitioner to avail remedies under section 19 (1) and (3) as the case may be. No costs.

C . V .

NAGARJUNA REDDY, J.

11/03/2008